

CITY OF ANGELS  
CITY COUNCIL  
MINUTES

**Tuesday, May 4, 2010**

Council Members Present: Jack Lynch (Mayor), Jack Boeding, (Vice Mayor), Elaine Morris, Craig Turco and Rick Downey

Staff Present: Richard Matranga, Gary Ghio, Todd Fordahl, Melisa Ralston, David Hanham and Mary Kelly

**4:30 p.m. CALL TO ORDER**

**ADJOURN TO CLOSED SESSIONS**

**CLOSED SESSION: EMPLOYEE EVALUATIONS**

Pursuant to Government Code Section 54957 Public Employee Performance Evaluations:

Position - City of Angels Fire Chief

Position – City of Angels Assistant Fire Chief

Position – City of Angels Engineer

Position – Interim Water/Wastewater Plant Manager

**CLOSED SESSION:**

PURSUANT TO CALIFORNIA CODE SECTION 54957: PUBLIC EMPLOYMENT – CITY ADMINISTRATOR

**CLOSED SESSION:**

PURSUANT TO CALIFORNIA CODE SECTION 54957: PUBLIC EMPLOYMENT – CHIEF OF POLICE

**6:00 p.m. RECONVENE TO REGULAR MEETING**

**ACTION TAKEN IN CLOSED SESSION – APRIL 20, 2010**

**EMPLOYEE EVALUATION**

Pursuant to Government Code Section 54957 Public Employee Performance Evaluation – Chief of Police

Council Action: Direction given to City Attorney to provide notice of termination to Police Chief. Made public notice of interim Police Chief.

**ACTION TAKEN IN CLOSED SESSION – MAY 4, 2010**

Pursuant to Government Code Section 54957 Public Employee Performance Evaluations:

Position - City of Angels Fire Chief

Council Action: Direction given to City Attorney

Position – City of Angels Assistant Fire Chief

Position – City of Angels Engineer

Position – Interim Water/Wastewater Plant Manager

Council Action: Items continued

PURSUANT TO CALIFORNIA CODE SECTION 54957: PUBLIC EMPLOYMENT – CITY ADMINISTRATOR

Council Action: Offer has been made. More information forthcoming.

### **CLOSED SESSION:**

PURSUANT TO CALIFORNIA CODE SECTION 54957: PUBLIC EMPLOYMENT – CHIEF OF POLICE

Council Action: Item continued

### **APPROVAL OF AGENDA**

Agenda item #4 was pulled for legal review.

### **STAFF UPDATES**

**Dave Hanham** – Planning Director

- Groundwater RFP being reviewed.
- GIS service RFP has been sent out.
- Maintenance agreement given to Caltrans. Will discuss at Facilities/Infrastructure
- McDonald site plan to go to Planning Commission.

**Todd Fordahl** – Interim Police Chief

- Reviewed report included in packet.

**Melisa Ralston** – Finance Officer

- Provided update of LAIF balances, water status report
- Reminded Council of Budget workshop on May 6<sup>th</sup>.

**Gary Ghio** – City Engineer

- Wastewater Treatment Plant project proceeding on schedule.
- Water Treatment Plant – fluctuation drained
- Stockton Road – George Reed to deliver paperwork this week.

### **COUNCIL UPDATES**

**Council Member Downey**

- Attended CCOG Administrative committee meeting – discussed moving finances from the county to the city.
- Toured UPA facilities.

**Council Member Turco**

- Attended UPA. Discussed transition of General Manager and how to phase out without harming UPA. Attended Personnel Finance and Safety Services.

**Council Member Morris**

- Attended the opening of the Mark Twain exhibit at the museum. Also attended Safety Services. Will be attending CCOG, LLD and budget workshop.

**Mayor Lynch**

- Attended the opening of the Mark Twain exhibit at the museum and Miner's picnic. Pointed out that Angels Camp is the only museum in California with a Mark Twain exhibit.

### **PUBLIC COMMENT**

**Bob Rogers** – Museum Administrator

Updated the Council on the activities at the Museum.

**Jim Fletcher** – Museum Foundation

Informed the Council of a dinner to be held at the Museum on May 12<sup>th</sup> where a Mark Twain impersonator will be present.

**Dennis Lee** – Angels Camp Resident

Voiced concerns of the proposed Master Trail, stating it was an absurd idea. Will not support the City if the Master Trail continues with the current plan. Council Member Turco explained that the City is refocusing ideas on the Master Plan and encouraged residents to come to the next Master Trail meeting.

## **CONSENT AGENDA**

**MOTION** by Council Member Turco, seconded by Council Member Boeding and carried 5-0 ADOPTING THE CONSENT AGENDA:

- a. Minutes of Regular meeting – April 20, 2010
- b. Acceptance of \$22,185.37 to Angels Camp Police Department from private donor for K-9 program.
- c. Cash Disbursements

## **REGULAR AGENDA**

1. **TEENS AGAINST TOBACCO PRESENTATION** – Michael Magana, County Public Health and Students from Bret Harte High School  
Students from Bret Harte High School presented findings on attempted tobacco purchases by underage youths in the City. They requested the City adopt an ordinance requiring businesses to have a license or permit to sell tobacco products (a Tobacco Retail License). Students speaking were: Solishia Andico, Shingo Brann, Nancy Smith and Robert Broyles  
**Direction: Item to be discussed at Personnel/Finance**
2. **APPROVE RESOLUTION CERTIFYING THE SSMP AS COMPLETE (referred by Infrastructure/Facilities Committee)** – Gary Ghio, City Engineer  
**MOTION** by Council Member Boeding, seconded by Council Member Morris and carried 5-0 ADOPTING RESOLUTION NO. 10-12. A RESOLUTION CERTIFYING THE SANITARY SEWER MANAGEMENT PLAN (SSMP) AS COMPLETE AS REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD ORDER NO. 2006-0003, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS (WDR) FOR SANITARY SEWER SYSTEMS
3. **APPROVE RESOLUTION ACCEPTING COMPLETION OF WORK ON THE CONSTRUCTION OF SAFE ROUTES TO SCHOOL SIDEWALK PROJECTS** – Gary Ghio, City Engineer  
**MOTION** by Council Member Turco, seconded by Council Member Boeding and carried 5-0 ADOPTING RESOLUTION NO. 10-11. A RESOLUTION ACCEPTING WORK ON THE CONSTRUCTION OF SIDEWALKS ON SAFE ROUTES TO SCHOOL MURPHYS GRADE ROAD AND GARDNER LANE – SR2SL-5206(009) AND AUTHORIZING FILING OF THE NOTICE OF COMPLETION.
4. **BRET HARTE HIGH SCHOOL NEW CONSTRUCTION OF AQUATIC CENTER: WATER AND SEWER CONNECTION FEES** – Mayor Lynch, Council Member Downey & Superintendent Michael Chimente  
**Direction: Item continued for legal review**
5. **COUNTY HAZARD MITIGATION PLAN (referred by safety Services Committee)** – Interim Police Chief Fordahl  
Chief Fordahl gave a brief overview of Calaveras County's Hazard Mitigation Plan. This item will be discussed at the June Safety Services meeting.  
**Direction: CD copy of plan to be given to Council, Planning and Fire for review. Comments to be discussed at Safety Services June meeting.**
6. **PUBLIC HEARING: ADOPT ORDINANCE #446** – Dave Hanham, Planning Director  
**Opened Public Hearing – 7.20 p.m.**

**Dennis Lee** – Angels Camp Resident

Read a letter into the record regarding the history his property and requested that his two parcels slated for re-zoning remain zoned as is.

**Gary Croletto** – Chair, Planning Commission

Read a letter (attachment 'A') into the record explaining his voting for the amendment of Planning Commission Resolution 2009-24 approving 114 parcels re-zoned instead of the requested 116 parcels.

**Wrenae Rowe** – Planning Commissioner

Spoke in favor of re-zoning only 114 of the 116 parcels, leaving the Lee property as is.

**Anita Nyland** – Angels Camp Resident

Voiced her frustration and confusion in the re-zoning process.

**Vernagae Lee** – Angels Camp Resident

Said she did not receive any notification of General Plan Hearings.

**Closed Public Hearing – 8:05 p.m.**

The City Attorney explained that because of errors perpetuated in 1995, this particular situation would not set a precedent by not re-zoning the Lee's 2 parcels.

MOTION by Council Member Boeding, seconded by Council Member Downey and carried 5-0 ADOPTING ORDINANCE #446. AN ORDINANCE AMENDING CHAPTER 17.12 "ZONING DISTRICTS", SECTION 17.12.020 (ZONING MAP) OF THE MUNICIPAL CODE: INTRODUCED APRIL 6, 2010. WITH EXCEPTION OF PARCEL NUMBERS 058-023-032 AND 058-023-033 WHICH SHALL REMAIN R-3 ZONED, BASED UPON A SPECIFIC SET OF UNIQUE FACTS WHICH SUPPORTS APPLICATION OF THE DOCTRINE OF EQUITABLE ESTOPPELS.

Roll Call: Morris {Yes}, Boeding {Yes}, Downey {Yes}, Turco {Yes} and Lynch {Yes}

**NOTE: DUE TO A CLERICAL/TYPOGRAPHICAL ERROR, THE TOTAL NUMBER OF PARCELS CONSIDERED FOR RE-ZONING SHOULD BE 110, NOT 116. DUE TO THIS ERROR, THE APPROVED PARCELS FOR RE-ZONING (ELIMINATING THE LEE PARCELS) ARE 108, NOT 114.**

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**7. SELECTION OF NEW FINANCIAL SOFTWARE (referred by Personnel/Finance Committee)**

– Melisa Ralston, Finance Officer

MOTION by Council Member Morris, seconded by Council Member Turco and carried 5-0 APPROVING THE SELECTION OF SPRINGBROOK SOFTWARE, INC. CONTINGENT UPON APPROPRIATION OF FUNDS AT MAY 6<sup>TH</sup> BUDGET WORKSHOP.

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**8. MUSEUM PERSONNEL REPORTING STRUCTURE (referred from Personnel/Finance Committee)** – Council Member Turco

MOTION by Council Member Downey, seconded by Council Member Boeding and carried 5-0 approving the selection of Organizational Chart showing Museum Administrator reporting to Museum Commission and Commission reporting to City Council (Attachment 'B').

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**9. DEFERRED COMPENSATION PLAN SIGNING AUTHORITY (referred by Personnel/Finance Committee)** – Melisa Ralston, Finance Officer

**Direction: Item continued to Budget workshop for approval of resolution.**

**Direction: Budget Workshop agenda to be amended to add resolution.**

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**10. PUBLIC HEARING: ADOPT ORDINANCE #445** – Council Member Turco

**Opened Public Hearing 8:48 p.m.**

The Mayor asked if any public wished to comment on this item. There being none, the Public Hearing was closed.

**Closed Public Hearing 8:49 p.m.**

MOTION by Council Member Turco, seconded by Council Member Boeding and carried 5-0 ADOPTING ORDINANCE #445. AN ORDINANCE AMENDING TITLE 2 "ADMINISTRATION & PERSONNEL", CHAPTER 2.08 "CITY ADMINISTRATOR", OF THE MUNICIPAL CODE: INTRODUCED APRIL 6, 2010

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**MEETING ADJOURNED AT 8:50 P.M.**

ATTEST:

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Mary Kelly  
City Clerk

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Jack Lynch  
Mayor